

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Derric Webb,	)	No. CV 08-2144-PHX-MHM
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Joseph Arpaio,	)	
	)	
Defendant.	)	
	)	

Plaintiff, Derric Webb, filed his Civil Rights Complaint on November 19, 2008. On February 13, 2009, this Court issued an order advising Plaintiff to complete and return a service packet for Defendant by March 5, 2009. The Plaintiff was warned that his failure to timely comply with the provisions of the order would result in the dismissal of the complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Court notes that the Plaintiff filed a Notice of Change of Address on March 13, 2009 and the Clerk of the Court re-mailed the service packet to the Plaintiff along with documents 4, 5, and 7. On March 12, 2009, the Court allowed Plaintiff until March 26, 2009, to show cause why this case should not be dismissed for Plaintiff's failure to comply with the Court's order of February 13, 2009, and Plaintiff's failure to show cause for his failure to abide by the Court's orders and to effect service of process on Defendant. There is no indication in the civil docket in this matter that Plaintiff did not receive the Order to Show Cause.

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1 On April 14, 2009, the Magistrate Judge filed his Report and Recommendation  
2 recommending that this case be dismissed for Plaintiff's failure to comply with Fed. R. Civ.  
3 P. 41(b).

4 After a complete and independent review of the issues presented, the Court finds itself  
5 in agreement with the Report and Recommendation of the Magistrate Judge.

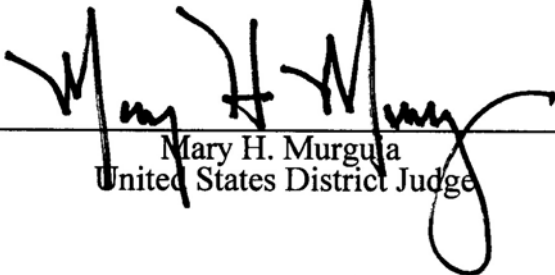
6 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge  
7 as the order of this Court [doc. 9].

8 IT IS FURTHER ORDERED dismissing this case without prejudice for failure to  
9 prosecute.

10 IT IS FURTHER ORDERED directing the Clerk to enter Judgment accordingly.

11 DATED this 20<sup>th</sup> day of May, 2009.

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Mary H. Murgula  
United States District Judge